

**MEASURES APPLICABLE TO THE PROVINCIAL COURT OF NEW BRUNSWICK
NOTICE TO MEDIA, JUSTICE PARTICIPANTS AND THE PUBLIC
Effective at midnight July 30, 2021.**

This Notice replaces the Court's previous Directive issued June 1st, 2020 and is to be read in conjunction with the *COVID-19 General Notice* effective at midnight on July 30, 2021, which provides that the following measures apply to all levels of court:

1. Anyone who plans to attend a court hearing while experiencing COVID-19 symptoms, awaiting the result of a COVID-19 screening test, or being required to self-isolate under any applicable federal guidelines for international travellers is prohibited from entering the courtroom and must instead, in a timely manner, contact the appropriate court office to arrange to attend the hearing by telephone or videoconference, if possible;
2. In courtrooms, court participants and the public adhere to a respectful distance between themselves and others and wear an adequate mask. The presiding Justice or judge may, in his or her discretion, upon considering the number of persons in attendance and any other relevant factor, permit all or some persons in attendance to remove their masks, and impose other public health measures to be applied in the courtroom; and
3. When appropriate, all levels of court will continue to use technology in order to provide access to justice in a safe and timely manner. See the directives for each level of court for details.

Effective at midnight July 30, 2021, and until further notice, the Provincial Court of New Brunswick is easing the restrictions on court operations given the lifting of the state of emergency declared in our province on March 19, 2020.

CRIMINAL MATTERS:

All criminal matters including first appearances, elections, trials, sentencing hearings, preliminary inquiries, applications to vary court orders, judgements and

other hearings (i.e. default hearings for fines,) will proceed as scheduled and the Accused shall appear in person before the Court.

If approved by the presiding judge, individuals required to attend Court for a first appearance or for a plea can continue to appear via telephone (audioconference), but they are required to contact the local court office well in advance of the scheduled appearance to confirm their contact information for the audioconference on their scheduled appearance date.

If approved by the presiding judge, Counsel can continue to appear via telephone (audioconference) for a first appearance, plea, to set a trial date and request for adjournment. They are required to contact the local court office in advance of the scheduled appearance to confirm their contact information so that an audioconference can be scheduled with the Court on their client's scheduled appearance date. Counsel must also file a Designation of Counsel as per s. 650.01 where required.

ACCUSED IN CUSTODY:

Unless instructed otherwise by the presiding judge, an Accused in custody will appear by videoconference for a first appearance, election, plea, appearance to set a trial date and request for adjournment.

An Accused in custody will also appear by videoconference for Show Cause Hearings (Bail Hearings). However, if the technological means are not satisfactory to the judge, he or she may require the Accused to appear in person.

All OTHER MATTERS: (Regulatory Offenses, Provincial tickets and By-laws)

All individuals scheduled for trial shall appear in person on their scheduled trial dates.

If approved by the presiding judge, individuals required to attend Court for a first appearance or for a plea can continue to appear via telephone (audioconference), but they are required to contact the local court office well in advance of the scheduled appearance to confirm their contact information for the audioconference on their scheduled appearance date.

ELSIPOGTOG COURT:

The Court will resume its full operation.

Chief Judge J. Richard
Associate Chief Judge M. Cloutier
Provincial Court of New Brunswick